

UNITED STATES
BANKRUPTCY COURT
SONY

(P91)

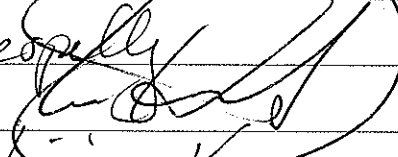
in re: Lehman Brothers,
Debtor

Case #
08-13555
JMP
Ch 11

- Notice of Motion -
✓

Sir/Madam:

Please take notice that The undersigned
William Kuntz who appears Pro se will
move at a time and place set by the Court
for an Order Lifting or Modifying the
Automatic Stay in this case

Respectfully,

William Kuntz

5 Federal St POB# 1801

Amtrack Island, Mass 02554-1801

508-775-5225

FILED
U.S. BANKRUPTCY COURT
2008 SEP 18 P 1:10
CL. CT. N.Y.

on Am track Sept 18, 2008



792

UNITED STATES
Bankruptcy Court
SDNY

Case #

In re: Lehman Brothers
Debtor

FILED
U.S. BANKRUPTCY COURT
2008 SEP 18 P 1:10
S.D. OF N.Y.

Motion for Relief from Stay

Now comes William Kuntz appearing Pro Se
and respectfully moves the Court for relief

- 1) Pray that the Court excuse this motion in
handwriting, but it is drawn on Amstar Train #9
which left Boston @ 6:05 AM on Sept 18, 2008
- 2) about 14 years ago, Mount purchased
in the open market certain obligations of the



PS 3

Grand Union Capital Corp a Delaware
Corporation (Ex 1)

3) In 1995 Grand Union Company filed
Bankruptcy in Delaware Bankruptcy Court.

4) Shortly thereafter Grand Union Capital and
Grand Union Holding also entered Ch 11 Protection.

5) AFTER CONSIDERABLE CONFLICT, a settlement
was reached between the NOTE HOLDER of
Grand Union Capital & Grand Union Company

6) Putnam Investments of Boston was included
in the selling parties. (Ex 2)



794

7) AS part of the settlement a CASIT

Escrow was established of Amount \$3.25 million

Dollars

8) Plaintiff rejected said settlement and

It was stated on the record before Hon Judge

Peter J. Walsh, that Plaintiff Declined &

rejected said settlement and that all his

rights were preserved and the Indemnity

was not cancelled as to his obligation issued

by Grand Union Capital and Guaranteed by

Grand Union Holdings.



(P95)

9) Subsequently Grand Union Company

again filed Bankruptcy in Newark, NJ

twice.

10) Prior to that time, Grand Union Holding

and Grand Union Capital's CH11 cases were

dismissed without any plan being confirmed

and they were dissolved in Delaware

11) Despite assets believed to be in excess of

\$12 million no distribution was made to Noteholders

creditors either directly or thru the Delaware

Trustee - Marine Midland Bank or First Trust, NA



pg 6

12) Some where and some time in the late 1990's or early 2000's

The Debtor Lehman Brothers and a Lehman Brothers Commercial Paper became creditors of the twice reorganized Grand Union

13) Upon information and belief and as stated in open court before Judge Luntfield had in that benefiting my order known or noticed, the Debtor Lehman applied the balance of the Escrow now believed to exceed \$5,000,000 to its loan to the prejudice of Plaintiff Superior rights to these funds.



14) From time to time, and prior to ^{Pg 7} the
commencement of this case and as recently as
May 2008, Plaintiff communicated with
the debtor (Ex 3) no response or remittance
has forthcoming.

15) In August, 2008, Plaintiff began to take
steps in NY State Supreme Court, Westchester
Court to obtain his first judgment against
Grand Union Capital & Grand Union Holding
(Ex 4 & Ex 5)

16) Events however unfolded so fast
with the Debtor Lehman that this case was



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Commenced prior to obtaining a judgement
and taking those steps to ensure
the escrow Funds held by the Debtor in
a Constructive Trust etc.

17) It is unclear to mount the exact
whereabouts of these funds, they may in fact
be in an subsidiary of the Debtor not in
Brooklyn. Further it may be that at the time
that these funds should be remitted to
the State of New York, Office of the Comptroller
Unclaimed Funds Unit, 110 STATE ST, Albany, NY 12207
under NY Law as provided.



pg 9

18) Needless to say, Mount has closely watched & followed the sudden & untimely demise of the Debtor. Mount had at one time been a shareholder of Lehman but sold his stock years ago when the potential conflict became apparent.

19) on Sept 15, 2008 after learning that the case was imminent Mount attempted to contact the Boston & New York office of the Debtor by phone. Mount also contacted P & S Wholesalers who purchased the Assets of Grand Union in Newark, New Jersey Court



pg 10

in the 3rd call on the 17th of Sept 2008
on the 17th P+S Declined & rejected
Moumt's request for information. (Ex 67 & 8)
Moumt also contacted NY STATE & the
Court Deputy as to DATES on the calendar the
weeks they ~~are~~ were not (antic yesterday)
AVAILABLE on the court's electronic service.

12) on the 16th of Sept 2008 Moumt
telephoned a request to Debbs Counsel which
proposed a stipulation. ^(Ex 9) As of today, Moumt
is unaware of my reply and it
evenly be informing so very FIRST



pg 11

Mount Let be served can & new year by
to Court to give this & so forth.

Whereas Mount respectfully prays that
the Court grant Liberal relief to Mount
to proceed both in obtaining information, in
that he may need to file a Claim and or
proceed in other Courts to obtain his Judgment
& not worry about New funds being dissipated

Respectfully

William Kuno III

5 FEDERAL ST POB 1801

NANTUCKET ISLAND, MASS 02554-1801

508-775-5225



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| | | | |
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| <u>File Number:</u> | 2297487 | <u>Incorporation Date /</u> | 05/13/1992 |
| | | <u>Formation Date:</u> | (mm/dd/yyyy) |
| <u>Entity Name:</u> | GRAND UNION CAPITAL CORPORATION | | |
| <u>Entity Kind:</u> | CORPORATION | <u>Entity Type:</u> | GENERAL |
| <u>Residency:</u> | DOMESTIC | <u>State:</u> | DE |

REGISTERED AGENT INFORMATION

| | | | |
|-----------------|---|---------------------|------------|
| <u>Name:</u> | THE CORPORATION TRUST COMPANY | | |
| <u>Address:</u> | CORPORATION TRUST CENTER 1209 ORANGE STREET | | |
| <u>City:</u> | WILMINGTON | <u>County:</u> | NEW CASTLE |
| <u>State:</u> | DE | <u>Postal Code:</u> | 19801 |
| <u>Phone:</u> | (302)658-7581 | | |

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

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9 + 1

SEC EDGAR Filing Information

Form SC 13G -- Statement of acquisition of beneficial ownership by individuals

SEC Accession No.
0000766524-95-000294
Documents: 1 Filing date: **1995-11-07**
Accepted: **1995-11-07 00:00:00**

SROs:
NYSE

Table of submitted documents:

| Seq | Type | Document | Size | Description |
|-----|--------|---------------------------------|-------|--------------------------------------|
| 1 | SC 13G | | 22002 | 5% MONTHLY HOLDINGS REPORT |
| | | <u>0000766524-95-000294.txt</u> | 23912 | Complete submission text file |

Filer Information:

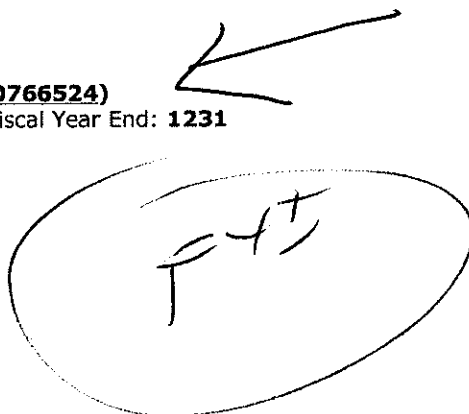
GRAND UNION CO /DE/ (Subject) (0000316236)
IRS No.: **251518276** | State of Incorp.: **DE** | Fiscal Year End: **0325**
Type: **SC 13G** | Act: **34** | File No.: **005-44467** | Film No.: **95587741**
SIC: **5411** Retail-Grocery Stores

Assistant Director 2

| | |
|-------------------------|------------------------|
| Business Address | Mailing Address |
| 201 WILLOWBROOK BLVD | 201 WILLOWBROOK BLVD |
| WAYNE NJ 07470-0966 | WAYNE NJ 07470 |
| 2018906000 | |

PUTNAM INVESTMENTS INC (Filed by) (0000766524)
IRS No.: **042539558** | State of Incorp.: **DE** | Fiscal Year End: **1231**
SIC: **0000**

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|-------------------------|------------------------|
| Business Address | Mailing Address |
| ONE P O BOX SQUARE | |
| BOSTON MA 02109 | |



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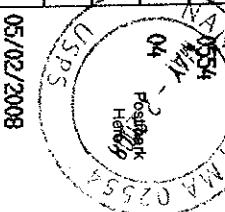
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 Street Address: *745 7th Ave*
 or P.O. Box No.: *1444*
 City/State/Zip+4: *Nantucket, MA 02554*

7006 2150 0002 1041 7378

ctions



grand union capital corp and grand union holdings
From: "william kuntz" <kuntzwm1@yahoo.com>
To: kuntzwm1@yahoo.com

Monday, August 11, 2008 10:25 AM

Capital has outstanding \$343,000,000 principal amount at maturity of Senior Zero Coupon Notes due July 15, 2004. The original issue discount of \$226,855,000 is being amortized recognizing a yield to maturity of 15.71% per annum. The carrying value represents the principal at maturity less the unamortized discount. On July 15, 1999, cash interest will begin accruing and is payable semi-annually on January 15 and July 15 at a rate of 15.00% on the unpaid principal amount. The Senior Zero Coupon Notes were issued with detachable warrants to purchase common stock of Holdings.

Capital has outstanding \$745,000,000 principal amount at maturity of Senior Subordinated Zero Coupon Notes, due January 15, 2007. The original issue discount of \$678,802,000 is being amortized recognizing a yield to maturity of 17.41% per annum. The carrying value represents the principal at maturity less the unamortized discount. The Senior Subordinated Zero Coupon Notes were issued with detachable warrants to purchase common stock of Holdings.

89 <

Sept 15
Warren Lehm 617. 880. 1183

Butler 212-526. 8381

888 880 3880

Σ 6

Grand Union
C+S

Sep 15, 08

- 3pm -

- Kathleen -

Mike Newbold

Declined
Sept 17, 5'12

4+7

C+S 603 354-7000

Sept 16 08

- Owen, Ess - Bx 10337-12201-5337

Rogyn 518 473 1657 MyShire

Linda 212-668-2870-3643

Ex B

212-310-8007

Sept 16, 08

10 AM

WGA M - NYC

re: Lehman / Lehman Commercial Paper

CASH ESCROW FROM GRAND UNION

Relief from Automatic Stay

Sir / Madam:

Prior to having to make a motion, I request a stipulation allowing me to proceed in OBTAINING INFORMATION on this ACCOUNT/Fund.

As you may be aware
The ORIGINAL ESCROW WAS ESTABLISHED
in 1995 in Delaware in the
First Grand Union Ch 11.

AS ATTACHED, I had
written you about months ago
and never got a reply

I WAS STARTING IN WESTCHESTER
COUNTY NY (AS ATTACHED) and
events have overtaken me.

Please Advise ASAP

William Kuntz ~~at~~

5 FEDERAL ST POBx 1801

NANTUCKET ISLAND, MASS

02554-1801

NANTUCKET
BANK
271905

A DIVISION OF SOVEREIGN BANK
NANTUCKET, MASSACHUSETTS 02554
AUGUST 07, 2008

*****\$210 DOLLARS AND 00 CENTS**
*****\$210.00

TREASURER'S CHECK

WEST CHESTER COUNTY CLERK
WHITE PLAINS, NEW YORK

271905# 42113701344 BB 9500006#

[Signature]
AUTOMATIC SIGNATURE

Westchester County Clerk
Application for INDEX NUMBER pursuant to
CPLR §8018

FEES: \$210.00

Spaces Below to be Typed or Printed by Applicant

COURT: WESTCHESTER COUNTY

TITLE OF ACTION OR PROCEEDING

William Kunz, III

V.

GRAND UNION CAPITAL CORPORATION

GRAND UNION HOLDINGS CORPORATION

TO BE COMPLETED BY APPLICANT

CLERK'S
INITIALS

THIRD PARTY
ACTION

TYPE OF ACTION-RECORDS RETENTION

- | | |
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| <input type="checkbox"/> FORECLOSURE | <input type="checkbox"/> CERTIORARI |
| <input type="checkbox"/> MATRIMONIAL | <input type="checkbox"/> CONTRACT |
| <input type="checkbox"/> GUARDIANSHIP | <input type="checkbox"/> TORT |
| <input type="checkbox"/> NAME CHANGE | <input type="checkbox"/> OTHER |

Name and Address of Plaintiff
India St., P O Box 1801, Nantucket Island, Ma 02554-1801

Name and Address of Defendant
411 Theodore Fremd Ave
Rye, NY 10580-1410

Name of Payor
Contract State Univ Office Ctr
William Kunz, III

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Liquid Assets

UNITED STATES
Bankruptcy Court SDNY

in re Lehman Brothers
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